

**Senate File 190 - Introduced**

SENATE FILE 190

BY SODDERS

**A BILL FOR**

1 An Act providing for a deaf and hard-of-hearing children's  
2 educational bill of rights.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1     Section 1. NEW SECTION.   256J.1   Short title.

2     This chapter shall be known and may be cited as the "*Deaf and*  
3 *Hard-of-Hearing Children's Educational Bill of Rights*".

4     Sec. 2. NEW SECTION.   256J.2   Findings and purpose.

5     1. *Findings.* The general assembly finds all of the  
6 following:

7     a. Hearing loss affects the most basic human need of  
8 communication. Without quality communication, a child is  
9 isolated from other human beings and from the exchange of  
10 knowledge essential for educational growth, both planned and  
11 incidental, and, therefore, cannot fully develop the academic,  
12 social, and emotional skills required to become a productive,  
13 capable adult, and a full participatory member of society.

14    b. Children with hearing loss have the same innate  
15 capabilities as any other children. They may communicate in a  
16 wide variety of manual and spoken modes or systems of English.  
17 Some use aural/oral modes of communication, while others use a  
18 combination of aural/oral and manual modes of communication.  
19 Many use American sign language.

20    c. Therefore, it is critical that all Iowans work toward  
21 ensuring that all of the following will occur:

22     (1) Parents or guardians have full and informed  
23 participation in their children's educational planning.

24     (2) Families of children who are deaf or hard-of-hearing  
25 receive accurate, balanced, and complete information regarding  
26 their child's educational and communication needs.

27     (3) Parents or guardians have information on all available  
28 programmatic, placement, and resource options, including  
29 special school participation.

30     (4) Families of children who are deaf or hard-of-hearing  
31 have access to support services and advocacy resources from  
32 public and private agencies and all other institutions and  
33 resources knowledgeable about hearing loss and the needs of  
34 children who are deaf or hard-of-hearing.

35     (5) Deaf and hard-of-hearing children, like all children,

1 have direct, quality, ongoing, and fluid communication, both in  
2 and out of the classroom.

3     (6) Deaf and hard-of-hearing children are placed in  
4 the least restrictive educational environment. For deaf  
5 and hard-of-hearing children that environment should be  
6 an accessible, language rich environment, and services  
7 are provided based on the children's unique communication,  
8 language, and educational needs, consistent with 20 U.S.C. §  
9 1414(d)(3)(B)(iv) of the federal Individuals with Disabilities  
10 Education Act.

11     (7) Deaf and hard-of-hearing children are given an  
12 education in which they have access to teachers, related  
13 service providers, and evaluators who understand the unique  
14 nature of deafness, and are specifically trained to work  
15 with hard-of-hearing and deaf pupils and can communicate  
16 spontaneously and fluidly with these children.

17     (8) Deaf and hard-of-hearing children, like all children,  
18 have the benefit of an education in which there are a  
19 sufficient number of age-appropriate peers and adults with whom  
20 they can interact and communicate directly or, as appropriate,  
21 through the use of qualified and licensed interpreters.

22     (9) Deaf and hard-of-hearing children can receive an  
23 education in which they are exposed to and interact with deaf  
24 and hard-of-hearing role models.

25     (10) Deaf and hard-of-hearing children, like all children,  
26 have direct and appropriate communication access to all typical  
27 components of the educational process, including recess, lunch,  
28 and extracurricular, social, and athletic activities.

29     (11) Deaf and hard-of-hearing children, like all children,  
30 are provided with programs in which transition planning, as  
31 required under the federal Individuals with Disabilities  
32 Education Act, focuses on their unique vocational and academic  
33 needs.

34     (12) Deaf and hard-of-hearing children have the right to  
35 early intervention to facilitate the acquisition of a solid

1 language base or bases to be developed at the earliest possible  
2 age.

3     2. *Purpose.* Given the central importance of communication  
4 to all human beings, the purpose of this chapter is to  
5 encourage the development of a communication-driven and  
6 language-driven educational delivery system in Iowa that  
7 supports the emotional and social development of children who  
8 are deaf or hard-of-hearing.

9     Sec. 3. NEW SECTION. 256J.3 Educational rights of deaf and  
10 hard-of-hearing children – recommendations.

11     1. The general assembly encourages the development and  
12 regular updating of specific recommendations by all state  
13 agencies, institutions, and political subdivisions of the  
14 state concerned with early intervention, early childhood, and  
15 kindergarten through twelfth grade education of students who  
16 are deaf or hard-of-hearing, including but not limited to the  
17 department of education, the Iowa school for the deaf, and  
18 the department of public health, to ensure that children who  
19 are deaf or hard-of-hearing have an educational environment  
20 in which their language and communication needs are fully  
21 addressed and developed and in which they have early, ongoing,  
22 and quality access to planned and incidental communication  
23 opportunities.

24     2. The recommendations, consistent with the findings and  
25 purpose of this chapter, should be completed and regularly  
26 updated by the state agencies, institutions, and political  
27 subdivisions addressed by this section.

28                                   EXPLANATION

29     This bill provides for the deaf and hard-of-hearing  
30 children's educational bill of rights in new Code chapter 256J.

31     New Code section 256J.1 provides that Code chapter 256J  
32 may be cited as the "Deaf and Hard-of-Hearing Children's  
33 Educational Bill of Rights".

34     New Code section 256J.2 lists legislative findings as to the  
35 need for the new Code chapter and states a purpose.

1     New Code section 256J.3 encourages state agencies,  
2 institutions, and political subdivisions of the state concerned  
3 with the education of such children to develop and regularly  
4 update recommendations for meeting the educational needs of  
5 deaf and hard-of-hearing children.